

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

JUDGMENT IN A CIVIL CASE

CHARLES RILEY

Plaintiff (s)

vs.

LANCE, INC.

Defendant (s)

Civil No. 05-0520-CV-W-DW

_____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

_____ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

 X **Decision by Court.** This action has come before the Court as a briefed matter and a decision has been rendered.

ORDERED that : (1) Defendant's motion for summary judgment (Doc. 28) is **GRANTED** as to all Counts in Plaintiff's complaint. (2) Defendant's Motion to strike Plaintiff's Suggestions in Opposition and for Fees and Costs (Doc. 40) is **DENIED**. (3) Plaintiff's Motion for leave to file out of time (Doc. 49) is **DENIED** as moot. (4) Defendant's Motion to stay (Doc. 54) is **DENIED** as moot.

PATRICIA L. BRUNE, CLERK

Date: September 21, 2006

By: /s/ Y. Johnson
Deputy Clerk